

REMARKS/ARGUMENTS

The present Amendment is in response to the Office Action. Claims 9, 34, 35, and 36 are canceled, and claims 16, 25, and 33 are amended. Claims 1-7, 16-19, 25-28, and 33 are now pending in view of the aforementioned cancellations.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the specification, and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Applicants note that the amendments and remarks herein are not intended to, and do not, constitute an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the claim and specification amendments and/or remarks herein are submitted merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Moreover, these claim and specification amendments and remarks, or a lack of remarks, should not be construed as an acquiescence, on the part of the Applicants, as to the purported teachings or purported prior art status of the cited references, nor as to the characterization of the cited references advanced by the Examiner. Accordingly, Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

I. Objections to the Drawings

In the Final Office Action mailed by the Examiner on June 13, 2007, the Examiner objects to the drawings under 37 CFR 1.83(a). Applicants respectfully submit that the objection to the drawings is overcome by amendments to the specification, as outlined above. Specifically, Applicants note that the air pressure pump 34, cited by the Examiner, has been amended as air pressure pump 24. Applicants respectfully submit that the Examiner's objection to the drawings is overcome and should therefore be withdrawn.

II. Claim Rejections Under 35 U.S.C. §112

The Examiner rejects claims 33, 35, and 38 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner notes that claims 33-36 contain the limitation of “an air pressure pump, configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system;”. The Examiner further comments that this limitation is unclear because it seems as though the vacuum pump actually takes the cleaning solution to the effluent storage system and not the air pressure pump.

In response to the rejection of the Examiner, Applicants have amended claim 33, stating that the system comprises “a vacuum pump, configured to move the cleaning solution from the textile area and to the effluent system.” In addition, Applicants have canceled claims 34, 35, and 36. In view of this amendment and cancellations, Applicants respectfully submit that the rejection of the Examiner has been overcome and should be withdrawn.

III. Claim Rejections Under 35 U.S.C. §102

Applicants respectfully note at the outset that a claim is anticipated by a prior art reference under 35 U.S.C. §102(b) “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See Manual of Patent Examining Procedure (“M.P.E.P”) §2131. The Examiner rejects claim 16, 17, 19 and 25-27 under 35 U.S.C. §102(b) as being anticipated by *Sales* (U.S. Patent No. 5,469,598). Because the Examiner has failed to establish that *Sales* teaches or suggests each and every element of the rejected claims, Applicants respectfully traverse this rejection in view of the following remarks.

In particular, the Examiner has characterized *Sales* as disclosing “a cleaning vehicle (Fig. 1, Item 15), engine (Fig. 2, Item 6), cleaning fluid storage (67), delivery system (116, 11), and effluent storage system (125).” The Examiner further notes that “*Sales* also discloses a mixing chamber where the chemical line (66) mixes with the water line (47).” and “*Sales* further shows a heating system (see Fig. 2, Item 46), a cleaning applicator (11), a vacuum system (120).” Last, the Examiner asserts that “*Sales*

also discloses the flow rate is less than 1.5 gallons because it can be turned off. Although Sales does not describe the exact cleaning rate, the claimed structures are the same and therefore would be expected to perform the same.”

Claims 16 and 25, as amended, recite “a delivery system, actuated by an air pressure pump, fluidly coupled to the storage system to enable delivery of the cleaning solution to the textile area that is remote to the vehicle.” Applicants respectfully note that notwithstanding the characterization advanced by the Examiner, the Examiner has failed to establish that *Sales* discloses “a delivery system” as recited in claim 16 and as defined in paragraph [0022] of the specification. More particularly, paragraph [0022] of the specification defines a delivery system as “one or more of the output solution hose 40, mixing chamber 38, heater unit or heating system 26 – together with the air pressure supply line 32, cleaning solution supply hose 20, and applicator or wand 16,” the delivery system being “actuated by air compressor or air pressure pump 24.” The Examiner has failed to establish that *Sales* discloses a delivery system as defined in the specification. In particular, while paragraph [0022] of the specification recites a delivery system as noted above, *Sales*, as characterized by the Examiner, discloses a delivery system (116,11). As disclosed in *Sales*, “A hot water hose 116 connects the hot water outlet coupling 26 of the switching station 25 to the nozzle 114. An intermediate valve controlled by a hand actuator 118 controls the amount of fluid allowed to pass through the hose 116 and out the nozzle 114.” (Col. 6, lines 27-31). In addition, *Sales* discloses a “cleaning wand assembly 11” (Col. 3, line 11) where “The cleaning wand assembly 11 is effectively the apparatus that is actually taken to the site where cleaning is required.” (Col. 6, lines 21-23).

As outlined in the preceding paragraph, claims 16 and 25 recite, “a delivery system, actuated by an air pressure pump, fluidly coupled to the storage system.” In contrast, Items 116 and 11 as disclosed in *Sales*, characterized by the Examiner as a delivery system, include a hot water hose 116 and a cleaning wand assembly 11. Because the Examiner has not established that *Sales* teaches each and every element as recited in claims 16 and 25, Applicants respectfully submit that the Examiner has failed to demonstrate that claims 16 and 25 are anticipated by *Sales*. Accordingly, the Applicants respectfully submit that the rejection of claims 16 and 25, as well as the

rejection of the corresponding dependent claims 17-19 and 26-27, which contain all of the limitations of independent claims 16 and 25, have been overcome and should be withdrawn.

III. Claim Rejections Under 35 U.S.C. §103(a)

Applicant respectfully notes at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and, third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* M.P.E.P. §2143.

The Examiner rejects claims 1-6 and 33 under 35 U.S.C. §103(a) as being unpatentable over *Sales* in view of *Keller* (US Publication No. 2002/0162187). With regard to *Sales*, the Examiner states, “*Sales* discloses a cleaning vehicle (Fig. 1, Item 15), engine (Fig. 2, Item 6), cleaning fluid storage (67), delivery system (116, 11), and effluent storage system (125). *Sales* also discloses a mixing chamber where the chemical line (66) mixes with the water line (47). *Sales* further shows a heating system (see Fig. 2, Item 46), a cleaning applicator (11) and vacuum system (120). *Sales* does not specifically disclose an air pressure pump in the compressor system.” With regard to *Keller*, the Examiner asserts “*Keller* discloses an air pressure pump used to move cleaning solution (Item 20, paragraph 59, 66, Fig. 23).” Applicants respectfully disagree with the Examiner and submit that, for at least the reasons outlined below, the rejection of claims 1-6 and 33 have been overcome and should be withdrawn.

Claim 1 recites “a cleaning solution air compressor system fluidly coupled to the storage system, and configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system.” Claim 33 recites “an air pressure pump, configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system.” As the Examiner asserts, “*Sales* does not specifically disclose an air pressure pump in the compressor system.” Instead, the Examiner asserts that “*Keller* discloses an air pressure pump used to move

cleaning solution (Item 20, paragraph 59, 66, Fig. 23). Applicants respectfully disagree with the assertion of the Examiner. *Keller* discloses “an air pressure pump 20” (paragraph 65), a “compressed gas stream” (paragraph 59) and “components including vacuum pump 18, air pressure pump 20 and fluid pump 22” which are “selected for carpet cleaning purposes.” (paragraph 66).

Keller further describes the air pressure pump 20 under subtitle “Compressed Air Application” found in paragraphs 88 through 90 of *Keller*. In paragraphs 89 and 90, *Keller* discloses the following:

“[0089] At least one and preferably two compressed air injection conduits or lines 48, 49 are positioned within the hot air housing 36. The lines 48 extend along the length of the hot air housing and include spaced compressed air discharge openings or nozzles 51, 52 respectively. The openings or nozzles 51, 52 are angularly oriented to discharge compressed air downwardly and angularly toward the intake plenum 32...

“[0090] The conduits or lines 48, 49 are connected, using common high pressure connectors to the pressure hose 24 which leads to the air pressure pump 20 in the carrier vehicle 16...”

Keller thus discloses compressed air injection lines 48, 49 that discharge compressed air generated by the air pressure pump 20.

Moreover, in paragraphs 107 and 108, *Keller* further discloses the operation of the disclosed invention. In particular, *Keller* states:

“[0108] The high volume of heated air causes increased evaporation and drying of the carpet fibers. *This heated air movement is substantially supplemented by the jet of compressed injection air discharging from the high pressure air injection lines 48, 49. The pressurized air, discharging at 60 psi, and angularly oriented toward the castellated edges of the hot air plenum, will agitate the carpet fibers and carry the heated air through and under the castellations into the vacuum plenum.* These two actions result in intermixed positive pressure air streams that will loosen and carry debris along toward the vacuum plenum, where the inwardly moving air current created by the vacuum pump will draw both streams and debris out through the vacuum hose.” (emphasis added).

Contrary to the assertion of the Examiner that “Keller discloses an air pressure pump used to move cleaning solution” *Keller* discloses an air pressure pump used to discharge “compressed injection air” to “agitate the carpet fibers and carry the heated air through and under the castellations into the vacuum plenum.” Because neither *Keller* nor *Sales* discloses “a cleaning solution air compressor system fluidly coupled to the storage system, and configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system” as recited in claim 1, and neither *Keller* nor *Sales* discloses “an air pressure pump, configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system,” as recited in claim 33, it would not have been obvious to one of ordinary skill in the art to modify *Sales* with *Keller* for the benefit recited by the Examiner of “adding fluids to the cleaning fluid for increased cleaning effectiveness.” Applicants therefore respectfully submit that the Examiner’s rejection of claims 1-6 and 33 have been overcome and should be withdrawn.

Next, the Examiner rejects claims 7 and 9 under 35 U.S.C. §103(a) as being unpatentable over *Sales* and *Keller*, as applied to claims 1-6 and 33 above. First, as shown above in the listing of the claims, claim 9 has been canceled. Second, applicants note that dependent claim 7 depends from claim 1, and, therefore, includes all of the limitations of claim 1. As noted above, claim 1 recites “a cleaning solution air compressor system fluidly coupled to the storage system, and configured to move the cleaning solution from the storage system, through the delivery system and to the effluent storage system,” which is not disclosed or rendered obvious by either *Sales*, *Keller*, or a combination of *Sales* and *Keller*. Applicants respectfully note that claim 7 also includes this limitation. Therefore, in light of the discussion outlined above with respect to claim 1, and in view of the cancellation of claim 9, the Examiner’s rejection of claims 7 and 9 have been overcome and should be withdrawn.

The Examiner also rejects claims 34 and 35 under 35 U.S.C. §103(a) as being unpatentable over *Sales* in view of *Keller*. Applicants direct the attention of the Examiner to the listing of the claims and note that claims 34 and 35 have been cancelled. Applicants therefore respectfully submit that the rejection of the Examiner has been overcome and should be withdrawn.

Further, the Examiner rejects claims 18 and 28 under 35 U.S.C. 103(a) as being unpatentable over *Sales* in view of Applicants' specification. The Examiner asserts that "Sales discloses the apparatus shown above in the 102 rejection." Accordingly, applicants direct the attention of the Examiner to the remarks and arguments made with regard to the Examiner's rejection under §102(b) of claims 16 and 25, which remarks and arguments are presented above beginning on page 11 of this paper. Applicants respectfully note that claims 18 and 28 depend from claims 16 and 25, respectively, and thereby contain all of the limitations of claims 16 and 25. In view of the aforementioned arguments presented by the Applicants with regard to the rejection under §102(b) of claims 16 and 25, Applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art to modify *Sales* in the manner indicated by the Examiner. Accordingly, Applicants respectfully submit that the rejection of claims 18 and 28 has been overcome and should be withdrawn.

Finally, the Examiner rejects claim 36 under 35 U.S.C. §103(a) as being unpatentable over *Sales* and Applicants' specification as applied to claims 25-28 above, and further in view of *Keller*. Applicants direct the attention of the Examiner to the listing of the claims and note that claim 36 has been cancelled. Therefore, Applicants respectfully submit that the rejection of the Examiner has been overcome and should be withdrawn.

CONCLUSION

In view of the remarks submitted herein, Applicants respectfully submit that each of the pending claims 1-7, 16-19, 25-28, and 33 is now in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 13th day of December, 2007.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Keely Schneiter".

Keely Schneiter
Attorney for Applicants
Registration No. 53,562
Customer No. 062733
Telephone: (435) 752-9407